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Dated: February 23, 2005

Signature:

Michael J. Doherty
(Michael J. Doherty)

SPINE 3.0-446 CIP III CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph et al.

Application No.: 10/648,464

Group Art Unit: 3738

Filed: August 25, 2003

Examiner: J. G. Blanco

For: INTERVERTEBRAL SPACER DEVICE
HAVING A SLOTTED PARTIAL
CIRCULAR DOMED ARCH STRIP SPRING

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: February 23, 2005

Respectfully submitted,

By *Michael J. Doherty*

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Registration No.: 40,592

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Commissioner for Patents
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Alexandria, VA 22313-1450

REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)

Dear Sir:

It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Please charge deposit account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our deposit account No. 12-1095.

Dated: February 23, 2005

Respectfully submitted,

By *Michael J. Doherty*

Michael J. Doherty

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LERNER, DAVID, LITTENBERG,

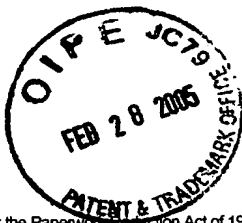
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete If Known	
				Application Number	10/648,464
				Filing Date	August 25, 2003
				First Named Inventor	James D. Ralph
				Art Unit	3738
				Examiner Name	J. G. Blanco
Sheet	1	of	3	Attorney Docket Number	SPINE 3.0-446 CIP III CONT

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-2001/0016773-A1	08-23-2001	Serhan et al.	
	AB	US-2002/0111681-A1	05-25-2004	Ralph et al.	
	AC	US-2002/0111682-A1	08-15-2002	Ralph et al.	
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	AR	US-2003/0069586-A1	04-10-2003	Errico et al.	
	AS	US-2003/0069642-A1	04-10-2003	Ralph et al.	
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	AC1	US-2003/0199981-A1	03-16-2004	Ferree	
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	AE1	US-2003/0208271-A1	11-06-2003	Kuras	
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	AS1	US-5,122,130	06-16-1992	Keller	
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Examiner Signature				Date Considered	

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete If Known	
				Application Number	10/648,464
				Filing Date	August 25, 2003
				First Named Inventor	James D. Ralph
				Art Unit	3738
				Examiner Name	J. G. Blanco
Sheet	2	of	3	Attorney Docket Number	SPINE 3.0-446 CIP III CONT

	AU1	US-5,314,477	05-24-1994	Marnay	
	AV1	US-5,370,697	12-06-1994	Baumgartner	
	AW1	US-5,401,269	03-28-1995	Buttner-Janz et al.	
	AX1	US-5,425,773	06/1995	BOYD ET AL.	
	AY1	US-5,458,642	10/1995	Beer et al.	
	AZ1	US-5,507,816	04-16-1996	Bullivant	
	AA2	US-5,556,431	09/1996	Buttner-Janz	
	AB2	US-5,562,738	10/1996	Boyd et al.	
	AC2	US-5,674,296	10/1997	Bryan et al.	
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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